

## REMARKS

The Examiner rejects Claims 2-5, 9-20, 22, and 29-30 under 35 U.S.C. Section 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. These claims have been amended to overcome these rejections.

Regarding the Examiner's questions at pages 3-4, "taking the modulus of the calendar time by the minimum time interval" means proposed meaning (1), or that the remainder is determined when calendar time is divided by the minimum time interval.

The Examiner rejects claims 12-20 and 21-30 under 35 U.S.C. Section 101. Claims 21-30 have been canceled. Claims 12-20 have been amended to overcome this rejection.

The Examiner next rejects Claims 1-4, 6-8, 12, 17, 19-22, 24-25, and 27 under 35 U.S.C. Section 102(b) as being anticipated by Microsoft Project 2000 Training Manual ("MS Project 2000"); Claims 5, 18, 23, and 26 under 35 U.S.C. Section 103(a) as being unpatentable over MS Project 2000 in view of Official Notice; Claims 9, 13-14, and 28 under Section 103(a) as being unpatentable over MS Project 2000 in view of MS Project 1998 Support Course ("MS Project 1998"); and Claims 10-11, 15-16, and 29-30 under Section 103(a) as being unpatentable over MS Project 2000 in view of MS Project 1998 and further in view of Official Notice.

Applicant respectfully traverses the Examiner's rejections.

The cited references fail to teach or suggest at least the following italicized features of the pending independent claims:

1. A method for allocating resources, comprising:  
providing a resource allocation system comprising (i) at least one queue of work items, each of the work items having an associated service time, and (ii) at least one resource to service the work items in the at least one queue;  
*placing, by a computer, a time delay, corresponding to a non-business time period, in at least one position of said at least one queue, whereby the non-business-time period is ignored in determining at least one of a service time and a time remaining in the at least one queue for work items positioned at queue positions farther from a head of the at least one queue than the at least one position of the time delay; and*  
based on the at least one of a service time and remaining time, allocating, by a computer, resources associated with said at least one queue to service work items according to predetermined algorithms.

12. A resource allocation system, comprising:
- a plurality of resources;
  - a plurality of queues for receiving work items to be serviced by the plurality of resources;
  - a scheduler operable, by a computer, to receive the work items, determine at least one of a service time and time remaining in queue for said work items, place said work items into a selected queue of the plurality of queues, and allocate resources to service work items in the plurality of queues according to predetermined resource allocation algorithms;
  - a timer operable to track the at least one of a service time and time remaining in queue in said plurality of queues;
  - a plurality of electronic calendars corresponding to said plurality of queues, wherein each queue has an associated calendar, and wherein each calendar has entries corresponding to business time and non-business time,*
    - wherein said scheduler is operable to monitor each of said calendars and, upon the start of a non-business time for a selected calendar, place a time delay corresponding to the length of said non-business time into the queue associated with the selected calendar, whereby the non-business-time period is ignored in determining the at least one of a service time and time remaining in queue for at least some of the work items in the queue associated with the selected calendar.*

In one embodiment, a system and method address the problem caused by off-time intervals, such as weekends, holidays, and other non-business hours. To enter business hours, the system and method stop the business clock by scheduling the selected off-time interval onto the front of a delta queue. This changes the real-time scheduler into a business time scheduler by shifting all the business events in time by the off-time interval. Once the interval expires, the clock acts like a normal real-time scheduler.

MS Project 2000, in contrast, is directed to a task calendar that schedules a task based on working and nonworking times that are unrelated to either the project calendar or the calendars of the resources assigned to the task. When a task calendar is assigned, resources will not be scheduled for the task during task calendar nonworking periods. For example, if progress on a task required a selected piece of equipment and the equipment undergoes maintenance each Monday, the maintenance is scheduled on the task calendar so that no technicians can be assigned to perform the task during this time. Thus, it is not necessary to edit the resources' assignments to make them available for other tasks.

The use of off-time interval scheduling to toll a timer for work items is neither suggested nor disclosed by the cited reference.

The remaining references fail to overcome this deficiency.

The pending dependent claims provide further reasons for patentability.

Applicant has added new Claims 31-41.

Based on the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

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By: Douglas W. Swartz  
Douglas W. Swartz  
Reg. No. 37,739  
1560 Broadway, Suite 1200  
Denver, Colorado 80202  
Telephone: 303-863-9700